

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE, TEXAS**

**UNITED STATES OF AMERICA**

**VS.**

**JIMMY STANLEY BRIZUELA**

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**CRIMINAL NO. 1:13-CR-0476**

**MOTION TO PRODUCE EXCULPATORY AND MITIGATING EVIDENCE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant, JIMMY STANLEY BRIZUELA, by and through his undersigned counsel, and moves this Court for an order pursuant to Brady vs. Maryland, 373 U.S. 83 (1963) and its progeny, and Defendant's rights to due process and compulsory process under the Fifth Amendment to the United States Constitution and Defendant's rights to effective assistance of counsel under the 6th Amendment to the United States Constitution, to direct the Government to disclose to the Defendant and his attorney any exculpatory and/or mitigating evidence and/or facts within the possession, custody, or control of the United States Attorney or any of his/her agents, including any statements exculpatory as to the Defendant which may have been made by any person to any one or more law enforcement agencies, or any statements made by any indicted or unindicted alleged co-conspirator, if any, regarding this cause and this Defendant.

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully prays that this Honorable Court order the Government to produce any exculpatory and/or

mitigating material evidence that is in the possession or control of the government or agents.

Respectfully submitted,

By: /s/ Omar W. Rosales  
OMAR W. ROSALES  
STATE BAR No. 24053450  
FEDERAL ID. No. 69067  
ATTORNEY FOR DEFENDANT

THE ROSALE LAW FIRM, LLC  
WWW.OWROSALES.COM  
402 South F St  
Harlingen, TX 78550  
Tel. (956) 423-1417  
Fax (956) 444-0217

#### CERTIFICATE OF SERVICE

I, Omar W. Rosales , do hereby, certify that on JUNE 19, 2013 a true and correct copy of the above and foregoing MOTION TO PRODUCE EXCULPATORY AND MITIGATING EVIDENCE was sent via E-FILE/DCECF to the United States Attorney's Office, at 600 E. Harrison St., Brownsville, Cameron County, Texas.

/s/ Omar W. Rosales  
OMAR W. ROSALES